IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2007

C O R A M

THE HONOURABLE Mr.JUSTICE P.JYOTHIMANI

W.P.No.19816 to 19820 of 2007 and M.P.No.1 to 1 of 2007

P.Indira Gandhi .. Petitioner in W.P.No.19816/2007
R.Hemavathi .. Petitioner in W.P.No.19817/2007
P.Lakshmi .. Petitioner in W.P.No.19818/2007
N.Rani .. Petitioner in W.P.No.19819/2007
A.Sujatha .. Petitioner in W.P.No.19820/2007

-Vs.-

1. The State of Tamil Nadu,
   Rep. by its Secretary,
   School Education Department,
   Fort St. George, Chennai.

2. The Director of Teacher Education
   Research and Training,
   College Road, Chennai - 600 006.

3. The Director,
   Directorate of Government Examination,
   College Road, Chennai - 600 006.

4. The Secretary / Correspondent,
   Joseph Chellamuthu Teacher Training Institute,
   Keerampur (Post), Namakkal (Taluk),
   Salem District. .. Respondents in all the WPs.

PRAYER in all the WPs: Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent herein to allow the petitioner herein to join and continue the petitioner Teacher Training Course for the year 2007-2009 in any of the Government Teacher Training Institute.

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For Petitioners : Mr.RM.Meenakshi Sundaram.

For Respondents : Mrs.Dakshayani Reddy,
Government Advocate.

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C O M M O N O R D E R

These writ petitions are filed for a direction against the Government of Tamil Nadu to allow the petitioners to join and continue Teacher Training Course for the year 2007-2009 in any of the Government Teacher Training Institute.

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2. The case of the petitioners is that they have all joined in the 4th respondent institute in the year 1992 for the Teacher Training Course. After the completion of the first year when they were about to write the first year examination they were not allowed by the Director of Teacher Education Research and Training the second respondent herein on the basis that they are students of the 4th respondent institute which is an unrecognised institute.

3. However, it is the case of the petitioners that they were allowed to continue in the second year and the 4th respondent institute has received the necessary fees in that regard. It is seen that the Government after considering the representation of the 4th respondent institute have permitted many of the students to join in the Government Teacher Training Institute on the basis that they have been affected by the conduct of the 4th respondent which is an unrecognised institute. However, in respect of the petitioners herein the Government have not permitted them to join in the Government Teacher Training Institute, which has resulted in the filing of the above writ petitions.

4. Mrs.Dakshayani Reddy, learned Government Advocate takes notice on behalf of the respondents 1 to 3 and on instructions has made a submission that while it is true that in respect of some of the candidates belonging to the 4th respondent institute which was found to be an unrecognised institute they were permitted to join in some other Government Institute in order to enable them to pursue the course in the Teacher Training. However, as far as the petitioners herein are concerned the learned Government Advocate would submit that there is no evidence to show that they have undergone the course in the 4th respondent institute. It is her case that the Government after receiving the Joining Register and other particulars from the 4th respondent institute has permitted the students to join in the Government Institute, it is only due to the reason that the names of the petitioners were not found in the records, they were not permitted to join in any other Government Institute. It was in these circumstances, the learned counsel appearing for the petitioners was directed to show whether the petitioners have infact joined in the 4th respondent institute.

5. Mr.R.M.Meenakashi Sundaram, learned counsel appearing for the petitioners has produced the original Course Completion Certificate issued by the 4th respondent institute for having joined in the year 1992-93 and the said Certificate was signed by the Principal of the 4th respondent institute. The learned Government Advocate has also perused the originals. Even though in the records stated to have been filed with the Government there is no evidence that the petitioners have studied in the 4th respondent institute, it is clear from the Course Completion Certificate issued by the 4th respondent institute that they were infact admitted in the 4th respondent institute in the year 1992-93 in the Diploma in Teacher Education Course.

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6. The learned Government Advocate would fairly submit that there is no suspicion in the said certificate. The learned Government Advocate would submit that the prayer in the writ petitions are to permit the petitioners to join Teacher Training Course for the year 2007-09. Now that the academic year for 2007-2009 has already commenced and there is no possibility to admit the students for the year 2007-09 and the petitioners can only be considered for the year 2008-10.

7. In view of the same, these writ petitions are disposed of with a direction to the second respondent to consider the case of the petitioners for admission in any one of the Government Teacher Training Institute for the year 2008-2010 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. Consequently, the connected M.Ps. are closed. No costs.

Kk

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Secretary to Government,
School Education Department,
Fort St. George, Chennai.

2. The Director of Teacher Education
Research and Training,
College Road, Chennai - 600 006.

3. The Director,
Directorate of Government Examination,
College Road, Chennai - 600 006.

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+ 5 ccs to Mr. R. M. Meenakshi Sundaram, Advocate SR Nos.68165 to 68169
+ 1 cc to the Government Pleader, SR No.68273

SA(CO)
SR/29.11.2007

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